

REMARKS

Claims 1-6 and 8-26 are pending in this application. Claims 1-6 and 8-26 are rejected. No claims have been amended or added. No new subject matter has been added. Claims 1-6 and 8-26 remain pending. Reconsideration of the claims is requested in light of the following remarks.

Claim Rejections – 35 USC § 102

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Kodimer et al. (U.S. Pat. No. 6,003,078A) ("Kodimer").

Claim 1 recites:

A network device assembly employed in a communication system comprising:
a plurality of network devices capable of communicating network information, through a packet switching network, to a technical support center operated by technical support staff, said plurality of network devices coupled to said packet switching network through an interface line, each of the plurality of network devices including one or more hardware subsystems and one or more software subsystems and for monitoring the status of the hardware and software subsystems included therein and when a problem occurs either with respect to one or more of the hardware and software subsystems of a particular one of the plurality of the network devices or with respect to said interface line, the particular network device sends a first message to the technical support center notifying the technical support center of the problem without interruption to the operation of the network device, *said network device assembly including a computer register for indicating the status of all of the hardware and software subsystems immediately before the problem occurs.*

Kodimer involves status information concerning a condition of a network peripheral device connected to a network being automatically communicated to a remote service organization requiring the following steps: *First*, a condition of the network peripheral device is detected. *Then, in response to the detected condition*, status information is automatically obtained, the status information corresponding to the detected condition. *Finally*, upon obtaining the status information, a packet is automatically transmitted to the remote service organization via the network, the packet containing the status information.

Claim 1 requires a register *for indicating the status of all of the hardware and software subsystems immediately before the problem occurs.* Kodimer does not mention the monitoring of subsystems before problems are detected, and furthermore sends only information regarding detected conditions. This does not involve a register for indicating the status of all of the hardware and software subsystems *immediately before the problem occurs.* Claim 1 is therefore patentably distinguishable over the prior art. Claims 2-6 and 8-11 depend from claim 1. Since dependent claims necessarily contain the limitation of claims

from which they depend, claims 2-6 and 8-11 are also patentably distinguishable over the prior art.

Claim 12 recites in part: *a computer register for indicating the status of all of the hardware and software subsystems immediately before the problem occurs*. As was shown above, Kodimer does not mention the monitoring of subsystems before problems are detected, and furthermore sends only information regarding detected conditions. This does not involve a register for indicating the status of all of the hardware and software subsystems *immediately before the problem occurs*. Claim 12 is therefore patentably distinguishable over the prior art. Claims 13-23 depend from claim 12. Since dependent claims necessarily contain the limitations of claims from which they depend, claims 13-23 are also patentably distinguishable over the prior art.

Claim 24 is a method that recites in part: *indicating the status of all of the hardware and software subsystems immediately before the problem occurs*. As was shown above, Kodimer does not mention the monitoring of subsystems before problems are detected, and furthermore sends only information regarding detected conditions. This does not involve *indicating the status of all of the hardware and software subsystems immediately before the problem occurs*. Claim 24 is therefore patentably distinguishable over the prior art.

Claim 25 is a Beauregard claim with a similar limitation to the method claim 24, namely, it recites in part a computer readable medium having stored therein computer readable program code comprising instructions for performing: *indicating the status of all of the hardware and software subsystems immediately before the problem occurs*. Kodimer does not mention the monitoring of subsystems before problems are detected, and furthermore sends only information regarding detected conditions. This does not involve *indicating the status of all of the hardware and software subsystems immediately before the problem occurs*. Claim 25 is therefore patentably distinguishable over the prior art.

Claim Rejections – 35 USC § 103

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kodimer in view of Wiesenewsky (U.S. Patent 3925764) ("Wiesenewsky").

Claim 26 ultimately depends from claim 1 and includes all such limitations of claim 1. As shown above, Kodimer does not involve a register for indicating the status of all of the hardware and software subsystems *immediately before the problem occurs*.

Wiesenewsky involves a memory device for automatic switching of control systems using pulse patterns for the switching control. A logic circuit arrangement is connected to the

shift register to detect the presence of a working pulse pattern therein and to cause same to be stored in the shift register. Wiesenewsky does not involve a register for indicating the status of all of the hardware and software subsystems *immediately before the problem occurs*, therefore Wiesenewsky does not cure the deficiencies of Kodimer. Claim 26 is therefore patentably distinguishable over the prior art.

CONCLUSION

For the foregoing reasons, reconsideration and allowance of claims 1-26 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Julie L. Reed

Julie L. Reed
Reg. No. 35,349

MARGER JOHNSON & McCOLLOM, P.C.
1030 SW Morrison Street
Portland, OR 97205
(503) 222-3613

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile number (703) 872-9306, on January 13, 2005.

Signature

Judy Wegmore
Judy Wegmore